

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

LA CASA REAL ESTATE AND )  
INVESTMENT, LLC, )  
 )  
Plaintiff, )  
v. )  
 )  
KB HOME OF SOUTH CAROLINA, )  
INC., on its own behalf and as successor )  
in interest to KB HOME OF SOUTH )  
CAROLINA, LLC, )  
 )  
Defendant. )  
\_\_\_\_\_ )

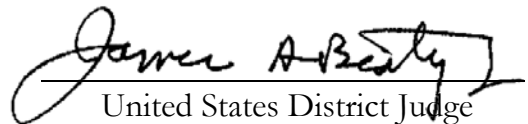
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ORDER

BEATY, Chief District Judge.

For the reasons stated in the Memorandum Opinion filed contemporaneously herewith, IT IS HEREBY ORDERED that Defendant's Motion to Transfer Case [Doc. #10] is GRANTED and that this matter be TRANSFERRED to the United States District Court for the District of South Carolina. IT IS FURTHER ORDERED that Defendant's Motion to Dismiss for Lack of Jurisdiction [Doc. #7] is DENIED as MOOT. Finally, IT IS ORDERED that Plaintiff's Motion to Enforce Settlement Agreement [Doc. #16] is DENIED without prejudice to its refiling in the South Carolina Court.<sup>1</sup>

This, the 30<sup>th</sup> day of June, 2010.

  
United States District Judge

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<sup>1</sup> As noted in the Memorandum Opinion accompanying this Order, the Court denies Plaintiff's Motion to Enforce Settlement Agreement in the interests of the courts' efficient administration, and this action should not be construed as any judgment on the merits of the Motion. The Court's denial of this Motion without prejudice shall not prevent the parties from submitting briefs related to Plaintiff's Motion to Enforce Settlement Agreement in the South Carolina court.

